



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,157	05/18/2000	Cary Lee Bates	ROC920000066	6988

7590 04/13/2006

Thomason Moser & Patterson LLP  
Suite 1500  
3040 Post Oak Boulevard  
Houston, TX 77056-6582

EXAMINER
----------

HUYNH, BA

ART UNIT	PAPER NUMBER
----------	--------------

2179

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/574,157

Applicant(s)

BATES ET AL

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-9, 11 and 21-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-9, 11, 21-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. Claims 5-9, 11, 21-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over by US patent #5,799,292 (Hekmatpour).

- As for claims 5, 21: Hekmatpour teaches a computer implemented method and corresponding system for rendering hypermedia documents to be displayed on a networked client display device, customized to the user on the basis of prior user interaction with the hypermedia documents (see the abstract). Per Hekmatpour, the hypermedia documents can be web pages (10:40-45). Thus it would have been obvious to one of skill in the art, at the time the invention was made, to implement Hekmatpour's teaching in web pages presentation as suggested. In light of the combining, Hekmatpour discloses the steps/means for:  
  
for each of a plurality of web pages having different network addresses:  
  
receiving user request to view the web page (inherently included),  
  
in response to user request, retrieving the web page according to a respective network address (fig 3a), evaluating a user profile of navigation history (data structure) to determine if there is a user interaction entry relating to the web page, the entry includes a user interactive field, if the there is a user interaction entry, determining if the entry field exists on the web page (2:61 – 3:11; 7:49-53),  
  
rendering the web page on the display according to a logical display order specified in a logical page, so that the entry field viewable on the display and positioning a portion of the page outside the viewable area, thereby eliminating from having to

reposition the page to bring the user interaction field into viewable area (7:28-32, 49-53; 8:35 – 9:9). Note that a web page is a lengthy document that is only a portion of the page is visible in the browser window, thus the rendering is caused by automatically scrolling the portion onto the display screen. A scroll bar is displayed on the side of the web page allowing the user to scroll up and down the page (figs 3-6).

- As for claims 6: The user interaction field is removed from current location and moved to a top portion of the view area (7:28-32; 8:41-55).
- As for claim 7: The user profile of navigation history includes a plurality of user interaction fields (8:41-55). Other interaction fields can be moved to viewable area on the display screen in the same manner. Figures 6a-c disclose the rearranging of user interactive field based on frequency and recency of interaction, wherein a second interactive field is moved to the top of the display.
- As for claim 8: Each user interacted object is associated with a count, the count associated with the second interacted object greater than the first (7:33-58; 8:41-52).
- As for claim 9: If the count are equal for both entries, then a time value can be used. Object selected most recently (i.e., greater time value) is given more weight (8:51-55).
- As for claim 11: Hekmatpour teaches a computer implemented method and corresponding system for rendering hypermedia documents to be displayed on a networked client display device, customized to the user on the basis of prior user interaction with the hypermedia documents (see the abstract). Per Hekmatpour, the

hypermedia documents can be web pages (10:40-45). Thus it would have been obvious to one of skill in the art, at the time the invention was made, to implement Hekmatpour's teaching in web pages presentation as suggested. In light of the combining, Hekmatpour discloses the steps/means for:

for each of a plurality of web pages having different network addresses:

receiving user request to view the web page (inherently included),

in response to user request, retrieving the web page according to a respective network address (fig 3a), evaluating a user profile of navigation history (data structure) to determine if there is a user interaction entry relating to the web page, the entry includes a user interactive field, if there is a user interaction entry, determining if the entry field exists on the web page (2:61 – 3:11; 7:49-53),

rendering the web page on the display according to a logical display order specified in a logical page, so that the entry field viewable on the display and positioning a portion of the page outside the viewable area, thereby eliminating from having to reposition the page to bring the user interaction field into viewable area (7:28-32, 49-53; 8:35 – 9:9). Note that a web page is a lengthy web document that is only a portion of the page is visible in the browser window, thus the rendering is caused by automatically scrolling the portion onto the display screen. A scroll bar is displayed on the side of the web page allowing the user to scroll up and down the page (figs 3-6). The user profile of navigation history includes a plurality of user interaction fields (8:41-55). Other interaction fields can be moved to viewable area on the display screen in the same manner. Figures 6a-c disclose the rearranging of user interactive

field based on frequency and recency of interaction, wherein a second interactive field is moved to the top of the display. The moving is done by repositioning the web page relative to the display screen.

- As for claims 22, 23: Since user's interest web objects are displayed according a display order, the determination of whether an object is not positioned in the viewable area as a default arrangement is inherently included in the teaching of Display Order calculation (8:38-40).
- As for claim 23: All of the user interactive fields can be displayed in the viewable area (8:41-55; 9:15-43).
- As for claim 24: The user interaction entry can be a table entry, a link, a data entered interaction entry, or a scrolling entry (see descriptions of figures 6-9).
- As for claim 25: Hekmatpour fails to clearly teach that the data structure includes the time spent displaying the electronic document element on the display during prior user interaction with the electronic document. However Official notice is taken that implementation of measuring the time spends at a display object as an indication of user preference is well known in the art of web information display (see US patent #6,487,541, 1:40-62, and US patent #6,412,012, 2:35-46). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of measuring the time spend at a display object as an indication of user preference to Hekmatpour's user profile data structure. Motivation of the combining is for the advantage of enhancing the prediction of user preference.

- As for claim 26: Hekmatpour teaches a computer implemented method and corresponding system for rendering hypermedia documents to be displayed on a networked client display device, customized to the user on the basis of prior user interaction with the hypermedia documents (see the abstract). Per Hekmatpour, the hypermedia documents can be web pages (10:40-45). Thus it would have been obvious to one of skill in the art, at the time the invention was made, to implement Hekmatpour's teaching in web pages presentation as suggested. In light of the combining, Hekmatpour discloses the steps/means for:
  - for each of a plurality of web pages having different network addresses:
  - receiving user request to view the web page (inherently included),
  - in response to user request, retrieving the web page according to a respective network address (fig 3a), evaluating a user profile of navigation history (data structure) to determine if there is a user interaction entry relating to the web page, the entry includes a user interactive field, if there is a user interaction entry, determining if the entry field exists on the web page (2:61 – 3:11; 7:49-53),
  - rendering the web page on the display according to a logical display order specified in a logical page, so that the entry field viewable on the display and positioning a portion of the page outside the viewable area, thereby eliminating from having to reposition the page to bring the user interaction field into viewable area (7:28-32, 49-53; 8:35 – 9:9). Note that a web page is a lengthy web document that is only a portion of the page is visible in the browser window, thus the rendering is caused by automatically scrolling the portion onto the display screen. A scroll bar is displayed

on the side of the web page allowing the user to scroll up and down the page (figs 3-6).

- As for claims 27, 28, 29: The page is rendered by rearranging the layout of the page, wherein at least one element of the page is positioned at the top of the page (7:28-32; 8:41-55).
- As for claims 30, 31: Scroll bars are provided allowing the user to scroll the page (see the drawings).

### ***Response to Arguments***

2. Applicant's arguments have been considered but are not deemed persuasive.

#### **Remarks:**

In response to the argument that Hekmatpour does not teach automatic scrolling of the web page, the web page inherently is a long document that only a portion of the page is displayed in the browser window, thus automatically repositioning the user interaction field on the display is automatically scrolling the page to the portion containing the interaction field. The automatic scrolling in Hekmatpour is a programmatic function since it is automatic. The automatic scrolling minimizes the amount of manual scrolling operations performed by the user (7:31-33, 10:13-16, 30-31). In response to the argument that Hekmatpour's web page can not be scrolled upward, this argument does not have support since the page is provided with the scroll bar for scrolling up and down (figs 3-6).

### ***Conclusion***



Art Unit: 2179

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The formal fax number is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bad Huynh  
Primary Examiner  
AU 2179  
4/7/06

BA HUYNH  
PRIMARY EXAMINER